

APPENDIX J

An Affirmative Action, Civil Rights and Equal Opportunity Orientation Guide

The University of California, Division of Agriculture and Natural Resources (UC ANR), is an equal opportunity, affirmative action institution. The University prohibits discrimination in employment, programs and activities on the basis of race, color, religion, sex, gender, gender identity, gender expression, national origin, age, disability, veteran status, sexual orientation, genetic information or any other characteristic protected by law and is committed to maintaining an environment free from sexual harassment and retaliation. Inquiries regarding UC ANR's equal opportunity policies may be directed to: John Fox, Executive Director Human Resources and ADA Coordinator, (530) 750-1343; Email: jsafox@ucanr.edu; inquiries regarding harassment, sexual harassment, Title IX or retaliation may also be sent to John Fox, in his role as Interim Affirmative Action Compliance and Title IX Officer, (530) 750-1343; Email: titleixdiscrimination@ucanr.edu; or David White, Affirmative Action Analyst, Title IX Investigator (530) 750-1286, Email: dewhite@ucanr.edu.

Civil rights compliance is an integral part of your position with the University of California. Benefits of programs are made available to all eligible participants in a non-discriminatory manner.

The following pages will detail your responsibilities, define terms, explain documentation, discuss laws, and complaint procedures.

Essential Terms

Following are essential terms related to Affirmative Action in Programs. More information on Affirmative Action, Civil Rights and Equal Opportunity can be found on the website of the Affirmative Action Office: http://ucanr.edu/sites/anrstaff/Diversity/Affirmative_Action/.

Affirmative Action: Actions taken to remedy the effect of past and present discrimination against certain groups. "Affirmative Action is an attitude and process which strives to assure that all potential clientele ...benefit from ANR programs in an equitable fashion." Wayne Schrader, Emeritus Advisor, San Diego County.

Affirmative Action/Civil Rights Complaints: There are established procedures for handling complaints related to discrimination or harassment – whether these complaints be programmatic/clientele related or workplace/employee personnel related. The procedures may be found at ANR's Discrimination and Sexual Violence Prevention website at http://ucanr.edu/sites/DiscriminationSexual_Violence.

Affirmative Action Files: Affirmative Action files are located in each University of California Cooperative Extension (UCCE) office. Staff needs to know the location and contents of this file. Contact your UCCE Director for information regarding these files.

Civil Rights: The rights of individuals to receive equal treatment based on certain legally protected classes.

Discrimination: Different treatment or denial of benefits, services, rights or privileges to a person or persons because of their race, color, religion, sex, gender, gender identity, gender expression, national origin, age, disability, veteran status, sexual orientation, genetic information or any other characteristic protected by law.

Clientele:

Potential Clientele: In a given county or program, the potential clientele consists of all those individuals or organizations who have a need for, would benefit from, and who are eligible for participation in any existing or planned educational activity that might be conducted in the fulfillment of the program's mission. Depending on how the potential clientele is defined, the demographic makeup (i.e. the race, ethnicity and gender breakdown) of that particular population is derived from the "best" available source(s). This demographic breakdown becomes the *baseline* for that particular clientele group; it is the population of persons eligible to participate in programs and related activities.

Actual Clientele: Actual participants in the applied research and/or educational programs carried out in the accomplishment of the UCCE program's mission are the *actual clientele* contacts. Actual clientele contacts should be documented in Project Board, and identified by race, ethnicity and gender. Program enrollees (i.e. 4-H enrollees, EFNEP participants) are considered distinct from clientele contacts and are generally not recorded in Project Board as contacts. Program enrollees, *per se*, are recorded in other systems outside of Project Board. (Any questions, please consult with your UCCE Director or the UC ANR Affirmative Action Office.)

Targeted Clientele: Targeted clientele are a subgroup of potential clientele and are potential participants in an education program or research project an academic is planning for a specific program year. They may also include a protected group whose percentage of participation is lagging behind their percentage in the baseline. For example, if Hispanics make up 40% of a clientele group but are only 5% of the actual clientele contacts, Hispanics in that particular clientele group could become a "targeted clientele" for additional outreach activities to increase their percentage of participation (see "Parity" below).

Under-represented Clientele: This category of clientele are members of the federally defined "protected" groups (i.e. racial minorities and women) that have historically been underserved.

Compliance: A program is *in compliance* when parity of participation is achieved or when outreach efforts demonstrate that an *all reasonable effort* has been exerted to equitably offer the opportunity to participate to all potential clientele (i.e. when the *All Reasonable Effort* standard has been met, see below).

Parity: When the percentages of protected races and ethnicity in the actual clientele contacts/program participants mirror (within at least 20 percent) their percentages in the potential clientele/participants (i.e. the baseline), then parity of participation (or *parity*) has been achieved.

All Reasonable Effort: All Reasonable Effort is defined as the utilization of at least three of the four federally approved outreach methods to ensure that eligible individuals from protected/underrepresented groups are aware of, invited to participate and benefit from appropriate UCCE programs.

Method 1: Use of mass media, including electronic and print outlets; can include press releases, public service announcements (PSAs), radio and/or television appearances. Social media and other web-based avenues may also qualify as “mass media.”

Method 2: Use of newsletters, posters, flyers, and print announcements distributed in a “mass mailing” type of process (either in hardcopy or electronic format).

Method 3: Use of personal letters/emails to targeted *individual* underserved clientele informing them of dates and times of program activities and specific invitations for them to attend and participate -- (*not* distributed in a “mass mailing” type of process).

Method 4: Personal invitation, (e.g. face-to-face or by phone), to further encourage clientele participation.

Public Notification: The objective of public notification is to inform clientele of UCCE educational opportunities, and to assure such notification is equally accessible to everyone in order to protect against accusations of discrimination.

“And Justice For All” Poster: The [**“And Justice For All”**](#) Civil Rights poster is to be displayed in public areas of the UCCE facility where it may be viewed by employees, clientele and participants. This would include the reception area and any meeting rooms where members of the public may meet to participate in a UCCE program.

Nondiscrimination Statement: All information materials and sources, including websites, brochures, bulletins, flyers, announcements, publications, catalogs, manuals, guidebooks, application forms, or other materials used to inform the public about ANR programs must include the [**Nondiscrimination Statement**](#). The inclusion of the [**Nondiscrimination Statement**](#) is required by federal regulations and reaffirms UC ANR’s commitment to equal opportunity and equal access to its programs and activities. If the available space is too small for the full statement to be included, the informational material must at a minimum include the statement: **“UC ANR is an equal opportunity service provider and employer”**.

American with Disabilities Act: In accordance with the American with Disabilities Act (ADA), ANR does not discriminate on the basis of disability in employment, services, programs, or activities.

Reasonable Accommodation: Reasonable accommodation is a modification or adjustment to policies or programs to enable individuals with disabilities to have equal access to benefits and privileges of programs, services, and activities. Disability laws and regulations require the adaptation of environments, schedules, or other requirements to accommodate individuals with disabilities unless such accommodation would impose undue hardship on UC ANR operations. Examples of reasonable accommodations that may be appropriate: changing or modifying existing facilities to make them accessible or usable; acquiring or modifying equipment; modifying tests, training materials, or policies to accommodate program participants with disabilities; and arranging for alternative means to access program information.

Accommodation Statement: When conducting outreach activities, UC ANR meeting locations, and other facilities, including camps, must be open to individuals with disabilities. Therefore, the following statement should be used in advertisements: “The University encourages individuals with disabilities to participate in its programs and activities. If you need an accommodation or have questions about the physical access provided, please contact _____

_____ at _____ in advance of your participation or visit.”

Affirmative Action Program Responsibilities:

1. Know the federal and state laws and the UC policies regarding Civil Rights and Affirmative Action.
2. Determine the potential clientele for each program.
3. Make a positive effort to extend the UC knowledge-base to protected groups.
4. Make an effort to understand the cultural, physical, and social diversity among clientele.
5. Document and assess Affirmative Action and public outreach achievements/impacts.

Understanding Diversity:

Our state has a rich mix of people with diverse culture, backgrounds, and life styles. This diversity is one of our important sources of strength and growth.

Diversity is the concept that recognizes individual differences and appreciates the benefits that differences bring. The challenge today is to learn about other cultures in order to appreciate and value diversity.

Following are some places to start exploring cultural diversity as it applies to your program:

- Seek advice from veteran UC ANR academics to learn about possible successful outreach strategies and possible barriers.
- Connect with community-based grassroots organizations (e.g., the NAACP, Indian Tribal Council, etc.). If you’re unable to locate them, consult with local school districts, Chambers of Commerce, or similar organizations in neighboring counties – or look for individuals who are active in the community that you want to serve.
- If you are in a position to hire staff or utilize volunteers, seek individuals who are dedicated to and culturally attuned to the people you wish to serve. Try and learn from your staff and volunteers. Don’t know something? Ask. This is the only way to get your answers.
- Get involved in community development networking or activities in your area.
- Explore the development of creative delivery methods.
- Take advantage of material available in the UC ANR Affirmative Action Unit’s Resource Library:
http://ucanr.edu/sites/anrstaff/Diversity/Affirmative_Action/Resources/
- Take advantage of any UC ANR-sponsored cultural diversity training opportunities (or request training!).

- Explore initiating an Advisory Committee for your program area consisting of people who represent the community you wish to serve.

Providing programs that are sensitive to diverse cultures is not an easy task and the process can be slow. Success will require a persistent, long-term commitment to attempt to understand the culture you wish to serve.

Defining Program Clientele

It is every UC ANR academics' responsibility to plan their program(s) for the benefit of all clientele regardless of their race, color, national origin, sex, age, or disability. To meet this requirement, academics must carefully define their clientele using and/or developing accurate demographics. The potential program clientele's demographic breakdown gives the academic a baseline to evaluate how closely their actual contacts are mirroring the demographics of their baseline. Parity of participation (see "Parity" above) is the cornerstone of USDA Civil Rights compliance and is the goal each academic program should be working toward. For Affirmative Action reporting, therefore, it is very important that the UC ANR academic establish a demographic breakdown (i.e. a baseline) for each clientele group in their geographic areas of responsibility using the most current and reliable sources available. (Note: organizations and agencies are not considered to be "individuals" and therefore do not have a demographic breakdown.)

As important as contact reporting is, the reporting of outreach efforts is often crucial in determining compliance. If parity of participation is not achieved, a UC ANR academic can still be found to be in compliance if their reported outreach efforts establish All Reasonable Effort. (See "All Reasonable Effort" above.) In instances where program contacts achieve parity of participation, outreach efforts should be continued (in order to maintain parity) and reported into Project Board.

a. Plant Sciences

Clientele groups for CE Advisors in the plant sciences typically include, but are not limited to: owners, operators, managers of walnut orchards/ strawberry farms/ dairies, etc.; PCAs and other consultants who advise or provide services to producers; allied industry and agency personnel who work with producers and/or advisers; packing and post-harvest operators; and sometimes field and/or farm laborers. Some CE Advisors include the general public as a separate clientele group when a significant amount of time is spent on backyard calls.

Statistical information describing these clientele groups can be found in Ag Census Data, Agricultural Commissioner grower lists, Marketing Orders, Farm Service Agency (FSA) offices, Farm Bureau, California Association of Pest Control Advisers (CAPCA), and Pesticide Applicators Professional Association (PAPA) organizations, etc. In some instances, actual racial/ethnic breakdown may only be available through more creative measures.

b. Nutrition, Family and Consumer Science (NFCS)

Clientele groups could include professionals in nutrition, health, education, and social services, such as dietitians, nutritionists, home economics teachers, school nurses, public health nurses, child care staff, non-profit agencies, community colleges and other agencies providing education or services to the public regarding food, nutrition,

and parenting.

c. Expanded Food Nutrition Education Program (EFNEP)

The potential clientele for this nutrition education program is defined as households with children below 18-years of age at 185% of poverty level. The target audience is families, so gender is not enumerated. This statistical data is available from the ANR EFNEP office, and their source of information is the U.S. Census Data.

d. 4-H Youth Development

CE Advisors in Youth Development are not required to have youth as a defined clientele group since actual outreach and recruitment of 4-H youth members is the responsibility of the individual clubs. The potential clientele for 4-H youth Development Advisors may consist chiefly of adult volunteers, and/or agencies/organizations dealing with youth.

Since actual 4-H enrollment data is recorded in the 4hOnline Enrollment System, the 4-H Advisor is not required to enter 4-H enrollments as contacts into Project Board; however, they are required to record their *outreach efforts* in Project Board – this may include the summarizing of the individual club outreach forms which each club may file with the county office and/or it may be the outreach efforts the advisor undertakes in her own work with clientele groups such as agencies dealing with youth, or adult volunteers, for instance. The contact data and outreach efforts for these other clientele groups are to be recorded in Project Board by the 4-H Advisor.

Make a Proactive Effort to Extend UC Knowledge to Protected Groups

The extension of knowledge is one of the primary functions of a UC ANR academic. Once you have established your potential clientele, it is essential that you develop a variety of methods to reach them. People learn in different ways and learning is enhanced through repetition and experimentation, so a variety of teaching methods should be employed.

Special attention must be paid to protected groups to ensure that their needs are considered when planning your educational program. For example, a newsletter may reach some clientele while direct teaching is more effective for others. Seminars or workshops may be appropriate for some people and some subjects, but extensive publications or simple pamphlets may be called for in other circumstances. Social media or mass media may be the best way to reach some audiences; each different deliver method offers different strengths for different audiences. For some UC ANR academics, it may be desirable, when possible, to have meetings and/or materials translated to other languages.

In addition to the decision about what method of instruction to use, it is important to consider how you will inform your clientele of what is available to them. Announcements through media and your own mailing list may be adequate for your clientele or you may need to consider creative ways to reach people such as announcements through employers, organizations, and institutions.

The important issue in this responsibility is to match your method of extending knowledge to your clientele's style of learning. While it will not be possible to offer every method to all people, it is important to be creative and try to extend knowledge in a variety of ways.

Federal Reporting and Documenting Program Participation

I. Goals of Documentation and Program Assessment

- A. Be able to evaluate your Affirmative Action efforts and progress/impacts.
- B. Be able to provide reviewers with appropriate, specific documentation.
- C. Develop a recording system that is practical and efficient. (This system must accomplish your PR Goals – Project Board could be utilized in this way.)

II. Documenting for Project Board

A. Document Clientele Contacts

1. Regularly record individual contacts you make. The more regularly you record contacts, the more useful this exercise will be for you. UC ANR recommends at least a quarterly recording of contact data. Regular reporting throughout the year will allow you to see clearly and well before the close of the reporting period where you are failing to meet full parity, and this will enable you to target additional outreach to those groups from whom you need additional participation. Leading up to these quarterly reporting sessions, use a form or some other convenient method to note the name, race, ethnicity and gender of persons you individually contact regarding programmatic activities, research, education, etc. While telephone calls may be counted when used in outreach/ARE activities, they cannot be counted when used for an educational/programmatic clientele contact unless the advisor knows the gender and race of the caller. For clarification, this can be discussed with your County/MCP Director.
2. Regularly record group contacts you make when you deliver extension educational information to groups. Note the number of people and an good-faith guess as to their race, ethnicity and gender breakdown; or
 - a) If you host the meeting, include a sign-in sheet and invite attendees to self-identify race, ethnicity and gender. (When computing the total participation by race and gender for an event, gaps from participants who declined to state may be filled in by visual identification by the advisor. For instance, if only three people self-identified as white and many others declined to state, if the advisor remembers seeing six people she considered as racially white in the audience, then she would add three (for a total of six) to the total of white participants.)
 - b) If you are a guest speaker, mentally note and record the number of people and the race, ethnicity and gender breakdown of the audience.

B. Completing Project Board

Each UC ANR academic has a little different way to summarize contacts. Some complete Project Board on a monthly basis, while others will complete it on a quarterly or yearly basis (not recommended). Consult with either your UCCE Director or a UC ANR academic with a similar program. Project Board summarizes the programmatic/outreach activities and associated clientele contacts that you have

documented. This becomes the official record of your contact numbers and outreach efforts. The UC ANR academic's supporting documents or related supporting hardcopy files and must be kept for three (3) years.

III. Documenting Annual Evaluations/Annual Plans/ Annual Reports/ Merit & Promotion, etc.

- A. Familiarize yourself with the Project Board Reporting System accessed through your ANR Portal: <https://ucanr.edu/portal/> [If you are NOT able to login to the UCANR Portal, please send an email to help@ucanr.edu, outline your problem and someone will assist you]; for help with or more information concerning Project Board and federal reporting requirements, contact Chris Hanson: (510) 987-0628; christopher.hanson@ucop.edu or Katherine Webb-Martinez: (510) 987-0029; Katherine.webb-martinez@ucop.edu or Kit Alviz: (510) 987-0027; kit.alviz@ucop.edu
- B. Familiarize yourself with the Academic Human Resources website: http://ucanr.edu/sites/anrstaff/Personnel_Benefits/Academic_Personnel/ for guidelines, timetables, tips and training for help for the various reports and processes that inform the ANR academics' responsibilities and service to the people of California. For help with or more information concerning the contents of the Academic Human Resources website contact Kim Ingram: (530) 750-1282; kcingram@ucanr.edu.

Discrimination, Sexual Violence and Sexual Harassment Complaints

ANR is committed to creating and maintaining a community where all individuals who are employed or participate in University programs and activities can work and learn together in an atmosphere free of violence, harassment, discrimination, exploitation or intimidation. ANR will respond promptly and effectively to any report of harassment and discrimination and will take appropriate action to prevent, correct, and when necessary, discipline behavior that violates University policy.

I. Sexual Violence and Sexual Harassment Complaint Procedure

Any member of the UC ANR community may report conduct that may constitute sexual violence, sexual harassment, retaliation and other prohibited behavior by contacting the UC ANR Interim [Title IX Officer, John Fox](#), or another Responsible Employee. A Responsible Employee in UC ANR who receives a report alleging sexual violence or sexual harassment must promptly notify the UC ANR [Title IX Officer](#) even if the individual making the report requests that no action be taken. Responsible Employees include academic appointees, all personnel of the UC ANR Human Resources Office, and directors, managers and supervisors.

All UC and UCANR employees (except those specifically identified and designated as confidential employees) are required to notify the Title IX Officer if they receive information from a student or fellow employee about a possible incident of sexual violence or sexual harassment. [UC Davis Center for Advocacy Resources and Education](#) (CARE) and the UC Davis [Academic and Staff Assistance Program](#) (ASAP) can offer confidential consultations without reporting the incident to the [Title IX Officer](#).

Anyone who is aware of an act or acts of violence can anonymously report the incident by reporting the incident to The UC Whistleblower hotline at <http://www.ucop.edu/uc-whistleblower> or (800) 403-4744.

ANR's Sexual Violence and Sexual Harassment procedures may be found in the [Administrative Handbook](#) and on ANR's Discrimination and Sexual Violence Prevention website under [Reporting Sexual Violence and Sexual Harassment](#). The University of California systemwide Policy on Sexual Violence and Sexual Harassment is available online at <http://policy.ucop.edu/doc/4000385/SVSH>.

II. Discrimination Complaint Procedure

All reports of discrimination, harassment, sexual harassment or sexual violence should be reported to the Affirmative Action Compliance and Title IX Officer. [The Discrimination, Harassment, Retaliation Complaint Form](#) can be used to report complaints. To submit your complaint using the form, please make sure to save changes to the document and email the completed form to:

1. **John Fox**, titleixdiscrimination@ucanr.edu, Interim Title IX & Affirmative Action Compliance Officer.
2. **David White**, dwhite@ucanr.edu, Title IX Investigator

Electronic reports of other misconduct, including sexual harassment and discrimination can be submitted through the [EthicsPoint for Office of the President](#) online reporting system.

For more information, please visit UC ANR's Discrimination and Sexual Violence Prevention website at http://ucanr.edu/sites/DiscriminationSexual_Violence.

Whistleblower Hotline

To report what you may suspect is unethical, illegal, or improper governmental activities, the incident can be reported to the UC Whistleblower hotline at <http://www.ucop.edu/uc-whistleblower> or (800) 403-4744. It is independently operated to help ensure confidentiality.